

Notice
Fair Political Practices Commission
Interested Persons Meeting
July 14, 2016 at 10:00 a.m.
428 J Street, 8th Floor Hearing Room
Sacramento, CA 95814

Staff of the Fair Political Practices Commission will be holding an Interested Persons meeting on July 14, at 10:00 p.m. to solicit public input regarding the regulatory proposal listed below. This proposal is scheduled to be considered for adoption at the August 18, 2016, meeting of the Commission.

Repeal and Adopt Regulation 18751

Section 87300 requires every agency to “adopt and promulgate a Conflict of Interest Code” (1) designating all “positions within the agency, other than those specified in Section 87200, which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest,” and (2) identifying those interests of the designated employees that are reportable. A newly created agency is required to submit a code to its code reviewing body for approval, “not later than six months after it comes into existence.” (Section 87303.) An agency must submit a code amendment to its code reviewing body for approval, “within 90 days after the changed circumstances necessitating the amendments have become apparent.” (Section 87306.) Agencies must also review their existing codes biennially. (Sections 87306 and 87306.5.) The Commission is the code reviewing body for all state agencies, other than agencies in the judicial branch of government, and all local government agencies with jurisdiction in more than one county (multi-county agencies). (Section 82011.)

The code approval process is provided in Regulation 18750, which was recently amended by the Commission in March to increase efficiencies in the code approval process for both the agencies and the Commission. This proposal continues the commission efforts to streamline the code approval process by clarifying the procedure in Regulation 18751 for an exemption from the Act’s requirement to adopt a conflict of interest code.

Regulation 18751 provides both the requirements for an agency requesting an exemption from adopting a conflict of interest code and the requirements for the Commission in approving a request. The regulation applies to all state and multi-county agencies whose prospective codes are subject to the Commission’s review and approval and encourages other code reviewing bodies to adopt a similar procedure.

In considering proposed Regulation 18751, the Commission may examine and revise all existing requirements and may impose any additional requirements consistent with the Commission’s regulatory authority under the Act. The primary objectives of this proposal include (1) streamlining the existing procedure for requesting an exemption or extension including clarifying the supporting information that must be submitted with a

request and (2) streamlining the existing procedure for the approval of an exemption or extension including clarifying the requirements for approving a request.

ADDITIONAL INFORMATION.

- Proposed language for Regulation 18751 is attached for review, and can also be found at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices/ip-meetings-resource-page.html>
- You may participate in this interested persons meeting in person (at the Commission's offices).
- You may also listen to and participate in this interested persons meeting by teleconference by calling (877) 411-9748; access code 723284.
- Finally, the Commission also invites written comments addressing these topics. Address Comments regarding proposed language to Senior Commission Counsel Brian Lau at (916) 322-5660 or blau@fppc.ca.gov.

For questions about this meeting, you may contact Cesar Cuevas at (916) 322-5660.